



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 29, 2007

The Honorable Loretta A. Preska
United States District Judge
500 Pearl Street, Rm. 1320
New York, N.Y. 10007

Re: United States v. Banky Adebajo, 07 Cr. 816 (LAP)

Dear Judge Preska:

① A pretrial conference in the above-referenced case is currently scheduled for 4:00 pm on December 3, 2007. I write to request, on behalf of defense counsel, Peter Toumbekis, Esq., and the Government, that the December 3 conference be adjourned until the latter part of January, 2008. We jointly request this adjournment to complete additional discovery and to finish ongoing plea discussions that the parties believe may lead to a resolution short of trial. The Court's deputy clerk has indicated that a rescheduled pretrial conference date of January 23, 2008, 4:30 pm, would be available.

② Accordingly, the Government and counsel for the defendant ask that the Court So Order an exclusion of time, from December 3, 2007 to January 23, 2008, for the reasons set forth above, and upon a finding, pursuant to 18 U.S.C. § 3161(h)(8)(A), that the ends of justice served by the exclusion outweigh the best interest of the public and the defendant in a speedy trial.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: Brian D. Coad
Brian D. Coad
Assistant United States Attorney
212-637-2216

So Ordered.

Dated: New York, New York November 30, 2007

Loretta A. Preska
Loretta A. Preska, U.S.D.J.

cc: Peter Toumbekis
Defense Counsel